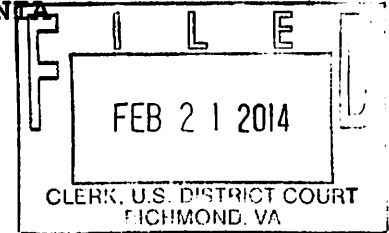


IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division



KAREN ANDERSON,
et al.,

Plaintiffs,

v.

Civil Action No. 3:13cv419

SAMUEL I. WHITE, P.C.,

Defendant.

ORDER

Having considered DEFENDANT SAMUEL I. WHITE, P.C.'S MOTION FOR JUDGMENT ON THE PLEADINGS (Docket No. 30), and having discussed the matter with counsel at the Initial Pretrial Conference, and it appearing that, in reality, the defendants seek to have the matter treated as a motion under Fed. R. Civ. P. 12(b)(6) or as a motion for summary judgment under Fed. R. Civ. P. 56 rather than a motion made under Fed. R. Civ. P. 12(c), it is hereby ORDERED that the DEFENDANT SAMUEL I. WHITE, P.C.'S MOTION FOR JUDGMENT ON THE PLEADINGS (Docket No. 30) is denied without prejudice to the filing of a motion for summary judgment on Count I.

It is therefore ORDERED that Samuel I. White, P.C.'s Motion for Summary Judgment on Count I shall be filed on February 28, 2014; that the response shall be filed on March 8, 2014; and that the reply shall be filed on April 11, 2014. The Court reminds counsel that the standards for motions for summary judgment are subject to the

standards different than that which are recited in the Motion for Judgment on the Pleadings which is dismissed.

It is further ORDERED that the plaintiffs' Motion for Class Certification shall be filed on May 19, 2014; that the response shall be filed on June 9, 2014; and that the reply shall be filed on June 30, 2014.

It is so ORDERED.

_____/s/ *REP*_____
Robert E. Payne
Senior United States District Judge

Richmond, Virginia
Date: February 20, 2014